

CITY OF TIGARD, OREGON

RESOLUTION NO. 04- 45

A RESOLUTION ESTABLISHING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 27 (SW MURDOCK STREET; 98TH, 100TH AV.; DARMEL, MARILYN CT.)

WHEREAS, the City has initiated the Neighborhood Sewer Extension Program to extend public sewers and recover costs through Reimbursement Districts in accordance with TMC Chapter 13.09; and

WHEREAS, these property owners have been notified of a public hearing in accordance with TMC 13.09.060 and a public hearing was conducted in accordance with TMC 13.09.050; and

WHEREAS, the City Engineer has submitted a report describing the improvements, the area to be included in the Reimbursement District, the estimated costs, a method for spreading the cost among the parcels within the District, and a recommendation for an annual fee adjustment; and

WHEREAS, the City Council has determined that the formation of a Reimbursement District as recommended by the City Engineer is appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1 The City Engineer's report titled "Sanitary Sewer Reimbursement District No. 27", attached hereto as Exhibit A, is hereby approved.

SECTION 2 A Reimbursement District is hereby established in accordance with TMC Chapter 13.09. The District shall be the area shown and described on Exhibit B. The District shall be known as "Sanitary Sewer Reimbursement District No. 27, Murdock Street, 100th Avenue."

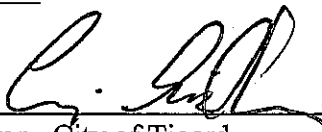
SECTION 3 Payment of the reimbursement fee as shown in Exhibit A is a precondition of receiving City permits applicable to development of each parcel within the Reimbursement District as provided for in TMC 13.09.110.

SECTION 4 An annual fee adjustment, at a rate recommended by the Finance Director, shall be applied to the Reimbursement Fee.

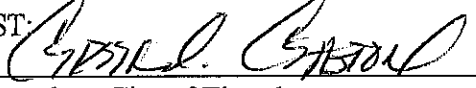
SECTION 5 The City Recorder shall cause a copy of this resolution to be filed in the office of the County Recorder and shall mail a copy of this resolution to all affected property owners at their last known address, in accordance with TMC 13.09.090.

SECTION 6 This resolution is effective upon passage.

PASSED: This 22nd day of June 2004.



Mayor - City of Tigard

ATTEST: 

~~City Recorder - City of Tigard~~
Greer A. Gaston, Deputy City Recorder

Exhibit A
City Engineer's Report
Sanitary Sewer Reimbursement District No. 27
(SW Murdock Street; 98th, 100th Av.; Darmel, Marilyn Ct.)

Background

This project will be constructed and funded under the City of Tigard Neighborhood Sewer Extension Program (NSEP). Under the program the City of Tigard would install public sewers to each lot within the project area. At the time the property owner connects to the sewer, the owner would pay a connection fee of \$2,435.00 (\$2,535 effective July 1, 2004) and reimburse the City for a fair share of the cost of the public sewer. There is no requirement to connect to the sewer or pay any fee until connection is made. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

Project Area - Zone of Benefit

Serving the proposed district will require four extensions from existing sewers as shown on Exhibit Map B:

- West from SW Murdock St. and 98th Av.
- North and west from SW Darmel Ct. and 96th Av.
- North from SW Lady Marion Dr. and 100th Av.
- North from SW Sattler St. and 98th Av.

The proposed project would provide sewer service to seventy-four lots as shown on Exhibit Map B.

Three areas within the area of the proposed district are not recommended to be included in the district. The first area is the six lots that front to Peppertree Lane, a private street. Public sewers could be installed in the private street by relying on a public utility easement in the street. However, this is a recent subdivision and there is limited owner interest in connecting to the proposed sewer. A public sewer in SW 100th Avenue would be extended to the private street that could provide service to these lots by a future project. A second area is two adjacent vacant lots that front to the south side of SW Murdock Street west of SW 98th Avenue. Most of the area of these lots is too low to be served by the proposed sewer. Easements and additional public sewers may be required to develop the lots. Finally, the tree farm east of SW 103rd Avenue is not proposed to be included in the district. Development of this lot will require construction of additional public streets improved with sewers.

Cost

The estimated cost for the sanitary sewer construction is \$797,525. Engineering and inspection fees amount to \$107,666 (13.5%) as defined in TMC 13.09.040(1). The estimated total project cost is \$905,191. This is the amount that should be reimbursed to the sanitary sewer fund as properties connect to the sewer and pay their fair share of the total amount. However, the actual amount that each property owner pays is subject to the City's incentive program for early connections.

In addition to sharing the cost of the public sewer line, each property owner will be required to pay an additional \$2,435 (\$2,535 effective July 1, 2004) connection and inspection fee when connection to the public line is made. All owners will be responsible for all plumbing costs required for work done on private property.

Reimbursement Rate

All properties in this area are zoned R-3.5 but vary in lot size from 13,600 to 79,700 square feet as can be seen in Exhibit Map B. Therefore, it is recommended that the total cost of the project be divided among the seventy-four properties proportional to the square footage of each property. Four of the lots have driveways that do not contribute to the buildable area of the lot. The areas of these driveways was deducted from the total lot areas to arrive at adjusted lot areas used to assign a proportional share as shown on Exhibit Map B. Resolution 01-46 limits this fee to \$6,000 to the extent that it does not exceed \$15,000 per owner for connections completed within three years of final approval of the City Engineer's Report.

Other reimbursement methods include dividing the cost equally among the owners or by the length of frontage of each property. These methods are not recommended because there is no correlation between these methods and the cost of providing service to each lot or the benefit to each lot.

Each property owner's estimated fair share of the public sewer line is \$0.64 per square foot of the lot served. Each owner's fair share would be limited to \$6,000 to the extent that it does not exceed \$15,000, for connections completed within three years of City Council approval of the final City Engineer's Report following construction in accordance with Resolution 01-46 (attached). In addition to paying for the first \$6,000, owners will remain responsible for paying all actual costs that exceed \$15,000. Upon request, payment of costs that exceed \$15,000 may be deferred until the lot is developed as provided by Resolution 03-55 (attached).

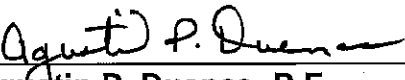
Annual Fee Adjustment

TMC 13.09.115 states that an annual percentage rate shall be applied to each property owner's fair share of the sewer line costs on the anniversary date of the reimbursement agreement. The Finance Director has set the annual interest rate at 6.05% as stated in City of Tigard Resolution No. 98-22.

Recommendation

It is recommended that a reimbursement district be formed with an annual fee increase as indicated above and that the reimbursement district continue for fifteen years as provided in the Tigard Municipal Code (TMC) 13.09.110(5). Fifteen years after the formation of the reimbursement district, properties connecting to the sewer would no longer be required to pay the reimbursement fee.

Submitted June 8, 2004



Agustin P. Duenas, P.E.
City Engineer

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100TH & MURDOCK
Reimbursement District No. 27
Estimated Cost to Property Owners

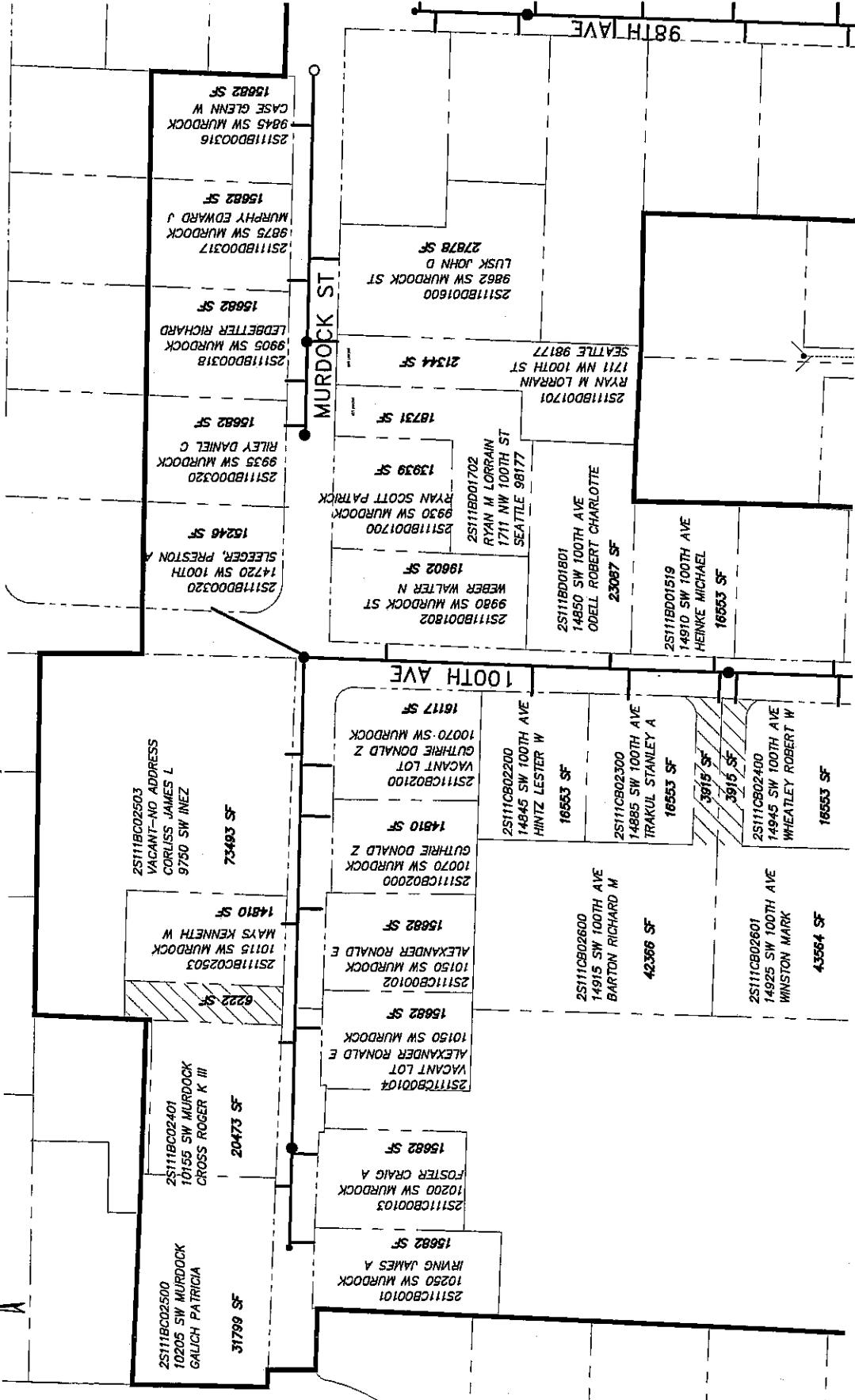
	OWNER	SITE ADDRESS	TAX LOT ID	AREA (S.F.)	ESTIMATED COST TO PROPERTY OWNER	PAID BY OWNER	PAID BY CITY
1	ALEXANDER RONALD E	10150 SW MURDOCK ST	2S111CB00104	15500.10755	\$9,933	\$6,000	\$3,933
2	ALEXANDER RONALD E	10150 SW MURDOCK	2S111CB00102	15500.04694	\$9,933	\$6,000	\$3,933
3	AMODEO RICHARD D AND WANDA M	9765 SW SATTTLER ST	2S111CA13900	14543.14892	\$9,319	\$6,000	\$3,319
4	ASBRA ANDREW J	9845 SW SATTTLER ST	2S111CA14600	15427.38679	\$9,886	\$6,000	\$3,886
5	BARTON RICHARD M & DIANE M	14915 SW 100TH AV	2S111CB02600	46337.92074	\$29,694	\$20,694	\$9,000
6	BENJAMIN WARD A/KIMBERLY A	14860 SW 98TH AVE	2S111BD00501	14444.68919	\$9,256	\$6,000	\$3,256
7	BODEA GHERASIM &	15100 SW 98TH AVE	2S111CA14000	14201.35966	\$9,100	\$6,000	\$3,100
8	BREITENSTEIN ROBERT W &	14945 SW 98TH AVE	2S111BD01503	19163.73271	\$12,280	\$6,000	\$6,280
9	CASE GLENN W & MARGARET A	9845 SW MURDOCK ST	2S111BD00316	15778.77437	\$10,111	\$6,000	\$4,111
10	CERBU MIRCEA	15105 SW 98TH AVE	2S111CA14400	16059.82138	\$10,291	\$6,000	\$4,291
11	COLLINS KELLY &	9870 SW DARMEL CT	2S111CA13400	13664.35272	\$8,756	\$6,000	\$2,756
12	COMEGYS DONALD L IDA J	15060 SW 100TH	2S111CA15000	15429.17185	\$9,887	\$6,000	\$3,887
13	CORLISS JAMES L/CORA K	9750 SW INEZ	2S111BC02503	79736.15162	\$51,095	\$42,095	\$9,000
14	CORRIGAN PATRICK H & KAREN A	14785 SW 98TH AVE	2S111BD01603	20821.80108	\$13,343	\$6,000	\$7,343
15	CROSS ROGER K III & CLARE E	10155 SW MURDOCK ST	2S111BC02401	20414.75698	\$13,082	\$6,000	\$7,082
16	CURTISS GORDON P &	9725 SW SATTTLER ST	2S111CA13800	14499.93598	\$9,292	\$6,000	\$3,292
17	DAVISON STEPHEN ANN	15040 SW 100TH	2S111CA15100	15447.61997	\$9,899	\$6,000	\$3,899
18	ESTRADA JOSE L & OLIVIA J	15060 SW 98TH	2S111CA14100	14444.85884	\$9,256	\$6,000	\$3,256
19	EVEN MARC ROBERT &	9900 SW SATTTLER ST	2S111CA00800	27610.38485	\$17,693	\$8,693	\$9,000
20	FOSTER CRAIG A & CAREN L	10200 SW MURDOCK ST	2S111CB00103	15504.75194	\$9,936	\$6,000	\$3,936
21	FURLOTT ELIZABETH L/RODNEY C	9685 SW SATTTLER ST	2S111CA13700	13919.91657	\$8,920	\$6,000	\$2,920
22	GALICH PATRICIA &	10205 SW MURDOCK ST	2S111BC02500	31975.04443	\$20,490	\$11,490	\$9,000
23	GARNER DANIEL T AND	15065 SW 98TH AVE	2S111CA14300	18841.0227	\$12,073	\$6,000	\$6,073
24	GOLDEN CAROL JEAN &	15020 SW 98TH	2S111BD00507	14444.88115	\$9,256	\$6,000	\$3,256
25	GUTHRIE DONALD Z & SUSAN C	10070 SW MURDOCK ST	2S111CB02000	14999.9609	\$9,612	\$6,000	\$3,612
26	GUTHRIE DONALD Z & SUSAN C	10070 SW MURDOCK ST	2S111CB02100	16333.55831	\$10,467	\$6,000	\$4,467
27	HEINKE MICHAEL & CATHRYN	14910 SW 100TH AVE	2S111BD01519	16437.77581	\$10,533	\$6,000	\$4,533
28	HINTZ LESTER W	14845 SW 100TH	2S111CB02200	16404.31513	\$10,512	\$6,000	\$4,512
29	IRVING JAMES A & KAREN D	10250 SW MURDOCK ST	2S111CB00101	15581.34997	\$9,985	\$6,000	\$3,985
30	JOHNSON KENNETH AND	9695 DARMEL COURT	2S111BD00601	14507.51077	\$9,297	\$6,000	\$3,297
31	JONES MALCOLM Y AND	9885 SW SATTTLER	2S111CA14700	16125.98842	\$10,334	\$6,000	\$4,334
32	KALLSTROM EVELYN LOUISE	15025 SW 100TH	2S111CB01600	43276.94613	\$27,732	\$18,732	\$9,000
33	KNEZ JOHN S JR & VICKI L	14980 SW 100TH AVE	2S111BD01513	17005.33173	\$10,897	\$6,000	\$4,897
34	LEDBETTER RICHARD E & MARGARET	9905 SW MURDOCK ST	2S111BD00318	15709.65022	\$10,067	\$6,000	\$4,067
35	LEITNER CINDY B	14985 SW 98TH	2S111BD01400	19952.62975	\$12,786	\$6,000	\$6,786
36	LOWERY LESLIE MARTIN & NORA M	14820 SW 98TH AVE	2S111BD00503	14444.82109	\$9,256	\$6,000	\$3,256
37	LUNDSTROM RICHARD & NAILA	9700 SW MARILYN CT	2S111BD00412	14501.11024	\$9,292	\$6,000	\$3,292
38	LUSK JOHN D & GWEN E	9862 SW MURDOCK ST	2S111BD01600	28420.31441	\$18,212	\$9,212	\$9,000
39	MAYS KENNETH W & KARLEEN R	10115 SW MURDOCK ST	2S111BC02501	15028.03145	\$9,630	\$6,000	\$3,630
40	MILLER DAVID L AND	14900 SW 98TH	2S111BD00504	14444.55861	\$9,256	\$6,000	\$3,256
41	MOLATORE STEPHEN R & DEBRA L	9955 SW SATTTLER ST	2S111CA14800	16051.44588	\$10,286	\$6,000	\$4,286
42	MOORE TIMOTHY &	14940 SW 98TH AVE	2S111BD00505	14444.60788	\$9,256	\$6,000	\$3,256
43	MORLAN DENNIS M & ANN T TRS	14865 SW 98TH ST	2S111BD01602	30813.1579	\$19,745	\$10,745	\$9,000
44	MURPHY EDWARD J AND DANA S	9875 SW MURDOCK ST	2S111BD00317	15744.21229	\$10,089	\$6,000	\$4,089
45	NESS DYANN E	14977 SW 100TH AVE	2S111CB02500	17617.30737	\$11,289	\$6,000	\$5,289
46	NICHOLSON SHANE &	14895 SW 96TH AVE	2S111BD00409	14215.65888	\$9,109	\$6,000	\$3,109
47	ODELL ROBERT CHARLOTTE	14850 SW 100TH	2S111BD01801	23007.74376	\$14,744	\$6,000	\$8,744
48	ONNIS DORIS A/ROBERTO	15025 SW 98TH	2S111BD01518	9356.96849	\$5,996	\$5,996	\$0
49	ONNIS DORIS A/ROBERTO	15025 SW 98TH AVE	2S111CA14200	17581.80018	\$11,267	\$6,000	\$5,267
50	PALMER FAMILY TRUST	14980 SW 98TH AVE	2S111BD00700	15200.7139	\$9,741	\$6,000	\$3,741
51	POEHLER EDWARD CARL	14940 SW 96TH AVE	2S111BD00407	15221.30645	\$9,754	\$6,000	\$3,754
52	RICKER DEWEY E JR AND	9670 SW MARILYN COURT	2S111BD00410	13664.88825	\$8,757	\$6,000	\$2,757
53	RILEY DANIEL C	9935 SW MURDOCK ST	2S111BD00319	15675.08814	\$10,045	\$6,000	\$4,045
54	RIVERMAN WILLIAM E INA	14950 SW 100TH	2S111BD01514	17005.61159	\$10,897	\$6,000	\$4,897
55	RODDAN DELLA L	9675 SW MARILYN COURT	2S111BD00406	13683.24705	\$8,768	\$6,000	\$2,768
56	RODGERS KENNETH A AND	14900 SW 98TH	2S111BD00403	15236.75488	\$9,764	\$6,000	\$3,764
57	ROEMHILDT MARION	14980 SW 98TH ST	2S111BD00506	14444.86076	\$9,256	\$6,000	\$3,256
58	ROGERS MICHAEL R & ELIZABETH A	14815 SW 98TH	2S111BD01601	14476.71198	\$9,277	\$6,000	\$3,277
59	ROTHSCHILD KEITH S	14905 SW 98TH AVE	2S111BD01509	20248.58608	\$12,975	\$6,000	\$6,975
60	RYAN M LORRAINE ET AL	1711 NW 100TH ST	2S111BD01702	18880.86049	\$12,099	\$6,000	\$6,099
61	RYAN M LORRAINE ET AL	1711 NW 100TH ST	2S111BD01701	21178.13195	\$13,571	\$6,000	\$7,571
62	RYAN SCOTT PATRICK	1711 NW 100TH ST	2S111BD01700	14036.66718	\$8,995	\$6,000	\$2,995
63	SLAUGHTER JOHN A BEATRICE	15055 SW 100TH AVE	2S111CB01801	45942.90528	\$29,441	\$20,441	\$9,000
64	SLEEGER PRESTON A JR AND	14720 SW 100TH	2S111BD00320	15437.32596	\$9,892	\$6,000	\$3,892
65	SORENSEN JEROME H	9705 SW MARILYN CT	2S111BD00414	14506.01803	\$9,296	\$6,000	\$3,296
66	STARKEY WILLIAM L & BONNIE K	9825 SW SATTTLER ST	2S111CA14500	15494.99907	\$9,929	\$6,000	\$3,929
67	STONE GEORGE L JR HELEN	9665 SW DARMEL COURT	2S111BD00600	13669.38817	\$8,769	\$6,000	\$2,769
68	THORNBURG PHILIP B & BARBARA J	14780 SW 98TH AVE	2S111BD00508	14267.71464	\$9,143	\$6,000	\$3,143
69	TRAKUL STANLEY A	14885 SW 100TH AVE	2S111CB02300	16413.77588	\$10,518	\$6,000	\$4,518
70	WEBER WALTER N &	9980 SW MURDOCK	2S111BD01802	19523.44932	\$12,511	\$6,000	\$6,511
71	WHEATLEY ROBERT W &	14945 SW 100TH AVE	2S111CB02400	16413.74972	\$10,518	\$6,000	\$4,518
72	WILCOX DALE G & NANCY A TRS	9700 SW DARMEL CT	2S111CA13300	14087.48501	\$9,027	\$6,000	\$3,027
73	WINSTON MARK & ZSUZSANNA	14925 SW 100TH AVE	2S111CB02601	47937.20068	\$30,718	\$21,718	\$9,000
74	ZENZANO NELSON &	14965 SW 96TH AVE	2S111BD00411	14213.76957	\$9,108	\$6,000	\$3,108
Totals				1412580	\$905,191	\$553,816	\$351,375
							\$553,816
						PROJECT TOTAL=	\$905,191

100TH & MURDOCK
Reimbursement District No. 27
Estimated Cost to Property Owners
Summary

Estimated Construction Cost	\$693,500
15% contingency (construction)	\$104,025
Estimated construction cost (plus contingency)	\$797,525
13.5% contingency (Admin & Eng)	\$107,666
Total Estimated project costs	\$905,191
total area to be served (S.F.)	1,412,580
Total Estimated cost per S.F. to property owner	\$0.64

100TH AVENUE & MURDOCK STREET - SANITARY SEWER IMPROVEMENTS REIMBURSEMENT DISTRICT NO. 27

A PORTION OF THE NW 1/4 OF SECTION 11 T2S R1W W.M.



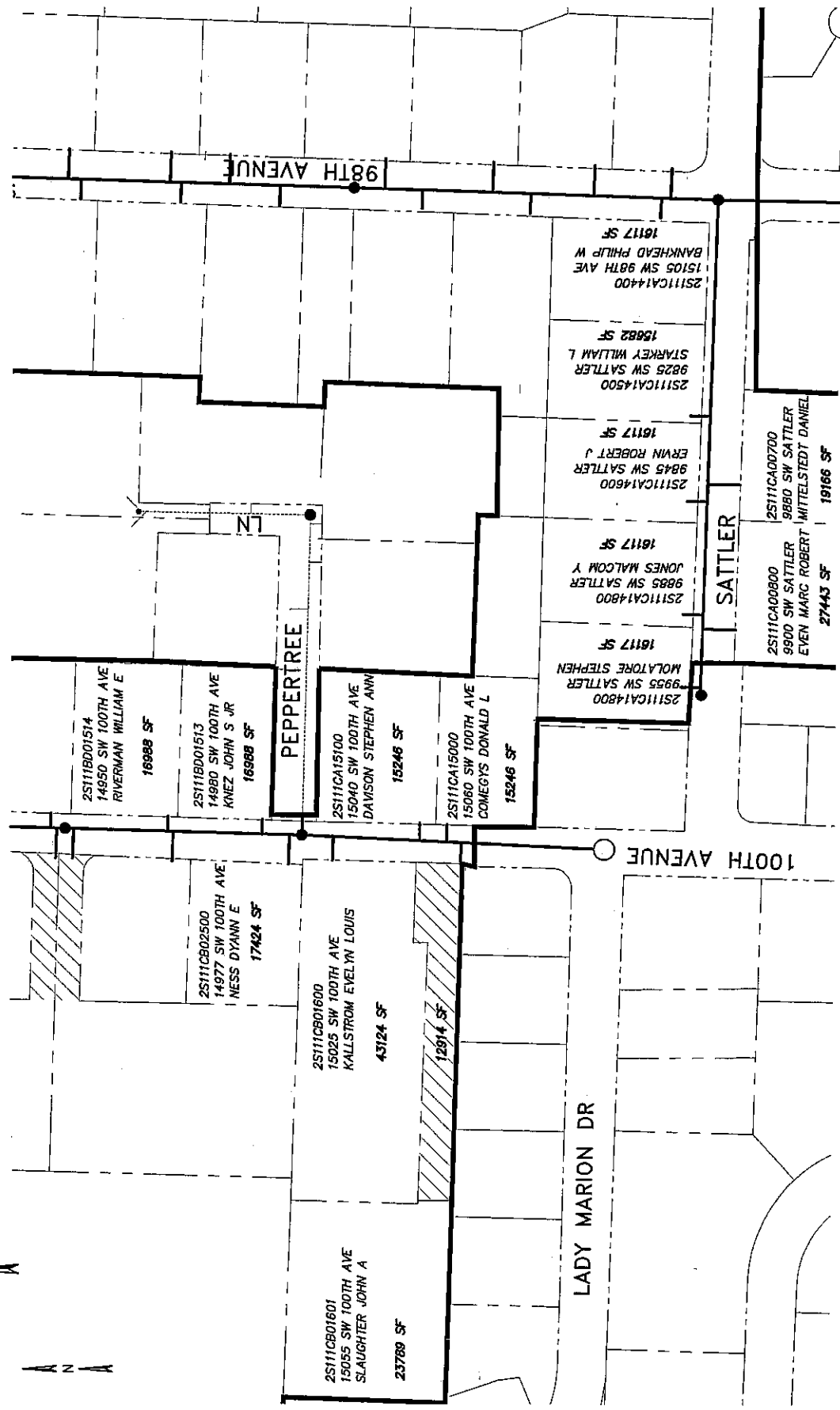
NOTE:

All properties district zoned R3.5

EXHIBIT B (p 1)

EXCLUDED AREA IN DETERMINING LOT SIZE

100TH AVENUE & MURDOCK STREET - SANITARY SEWER IMPROVEMENTS
 REIMBURSEMENT DISTRICT NO. 27
 A PORTION OF THE NW 1/4 OF SECTION 11 T2S R1W W.M.



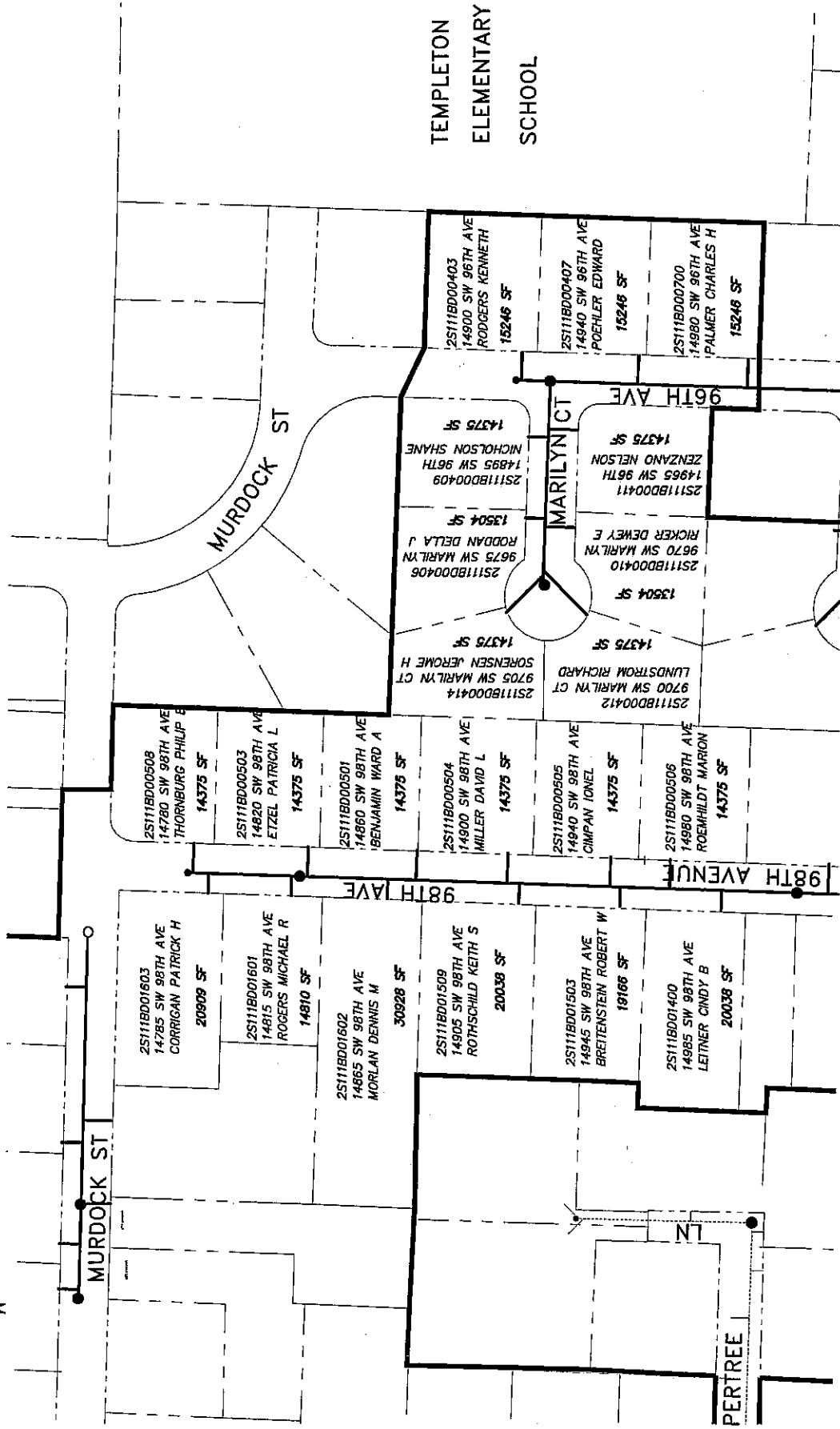
NOTE:
 All properties district zoned R3.5

EXHIBIT B (p 2)

EXCLUDED AREA IN DETERMINING LOT SIZE

100TH AVENUE & MURDOCK STREET - SANITARY SEWER IMPROVEMENTS REIMBURSEMENT DISTRICT NO. 27

A PORTION OF THE NW 1/4 OF SECTION 11 T2S R1W W.M.



NOTE:

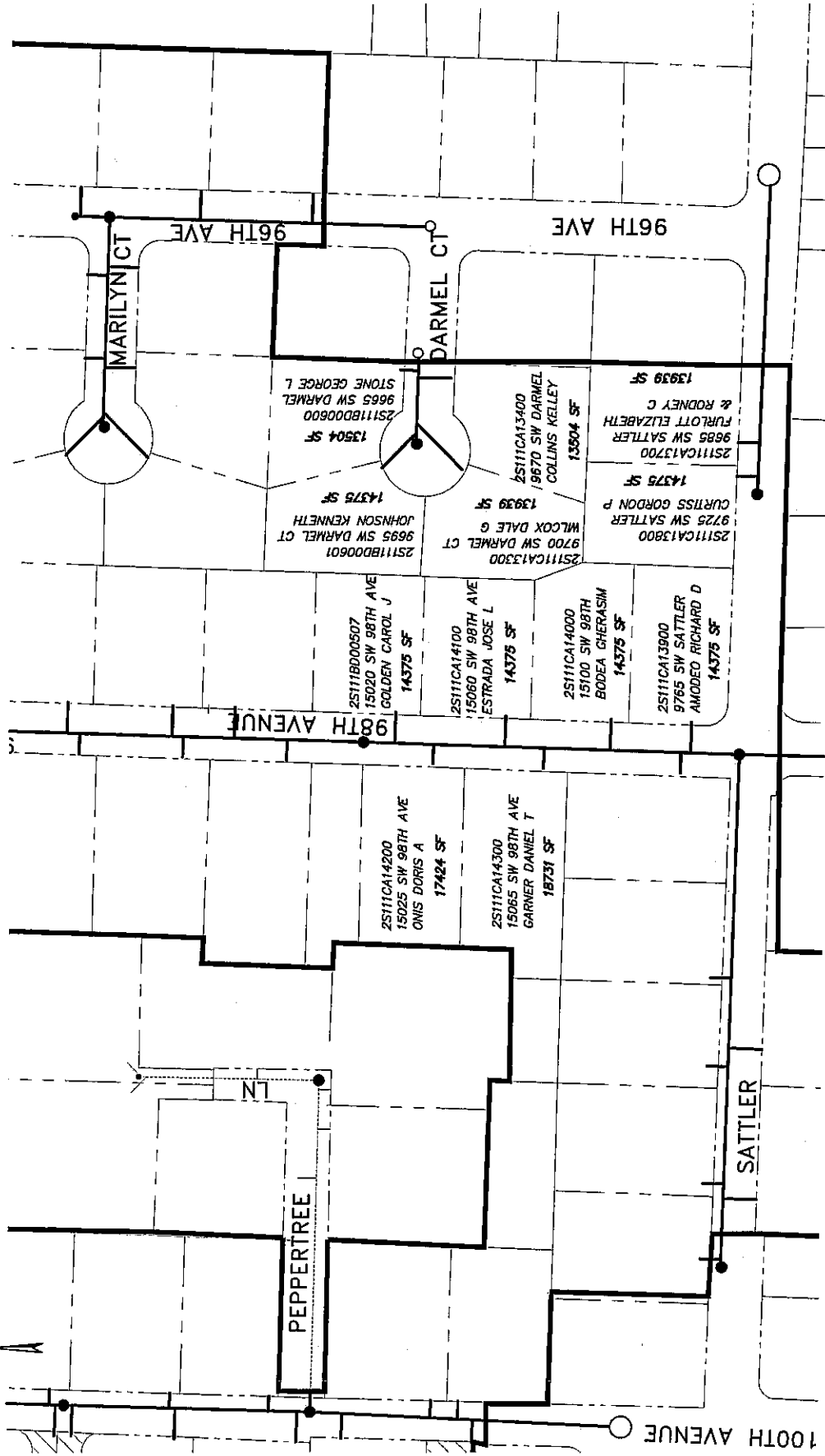
All properties district zoned R3.5

EXHIBIT B (p 3)

TEMPLETON
ELEMENTARY
SCHOOL

100TH AVENUE & MURDOCK STREET - SANITARY SEWER IMPROVEMENTS
REIMBURSEMENT DISTRICT NO. 27

A PORTION OF THE NW 1/4 OF SECTION 11 T2S R1W W.M.



NOTE:

All properties district zoned R3.5

EXHIBIT B (p 4)